CRIMINAL MINUTES

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK
ALBANY, NEW YORK
HON. RANDOLPH F. TREECE, presiding
UNITED STATES MAGISTRATE JUDGE

DATE: Nov. 19, 2004

TIME: 2:26pm-3:06pm

TAPE/CD: ______

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED
NOV 1 9 2004
LAWRENCE K. BAERMAN, CLERK
ALBANY

COURTROOM DEPUTY: ROBIN HINMAN

INTERPRETER: Steve Wang, Ming Hall, Ying Burkitt, H.K. Lo
(Certified / Non-certified)

LANGUAGE: Mandarin

UNITED STATES OF AMERICA **DOCKET NUMBER:** 04-CR-544 TJM
vs.

Jin Rong Cheng, by Lee Greenstein, **Esq.**

___ **Pub. Defender** ___ **Retained** X **CJA Assigned** ___ **Waived**

AUSA, Sara Lord, **for Government**

PRETRIAL OFFICER(s): ______

___ **DATE OF ARREST** ______

___ **INITIAL APPEARANCE** ___ **REMOVAL HEARING** ___ **RULE 40 DOCS RECEIVED**

X **ARRAIGNMENT** ___ **ARRAIGNMENT ON SUPERSEDING INDICTMENT**

X **DETENTION HEARING** ___ **PROBATION/SUPERVISED RELEASE VIOLATION HEARING**

___ **BOND HEARING** ___ **PRELIMINARY HEARING** ___ **NEBBIA HEARING**

___ **PLACEMENT HEARING** ___ **HIIP COMPLETION HEARING** ___ **I.A. on VIOLATION HEARING**

___ **NEXT APPEARANCE:** ______ **for:**

___ **Arraignment** ___ **Preliminary Hearing** ___ **Detention Hearing**

___ **Bond Hearing** ___ **Removal / Identity Hearing** ___ **Other:** ______

X **DEFT. APPEARS 1st time with COUNSEL** ___ **DEFT. APPEARS WITHOUT COUNSEL**

___ **FINANCIAL AFFIDAVIT submitted** ___ **COUNSEL to be APPOINTED BY COURT**

___ **GOVT. MOVES to UNSEAL:** ___ **COMPLAINT** ___ **INDICTMENT** ___ **INFORMATION**

___ **COURT:** ___ **GRANTS MOTION to UNSEAL** ___ **DENIES MOTION to UNSEAL**

X **DEFT. Advised of rights, maximum penalty stated and given a copy of:**

___ **Complaint** ___ **Information** X **Indictment** ___ **Superseding Indictment** ___ **Petition/Warrant**

___ **GOVT. MOVES for DETENTION:** ___ **Right to Continuance** ___ **Risk of Flight** ___ **Danger to Community**

X **GOVT. RECOMMENDS BAIL AT: $** 100,000. **PRB** ___ **ROR** ___

X **ATTY. Waives the formal reading; and enters a PLEA of NOT GUILTY.**

X CASE assigned to JUDGE: McAvoy.

X Criminal PRETRIAL ORDER issued in court. _____ Criminal PRETRIAL ORDER to be mailed to counsel.

X BOND set at: $ 100,000. _____ PRB _____ ROR X Secured by property
Secured by: $ _____ _____ Unsecured X and/or Cash

X ORDER setting CONDITIONS OF RELEASE

X APPEARANCE BOND signed by Deft. X AGREEMENT to FORFEIT PROPERTY signed by Deft.

_____ DEFT. Admits he/she is the person wanted in _____.

_____ DEFT. Signs WAIVER of RULE 5 and 5.1 HEARING

_____ DEFT. ORDERED REMOVED to originating district

_____ DEFT. Failed to appear

_____ Oral ORDER for issuance of BENCH WARRANT _____ Bond FORFEITED

_____ DEFT ORDERED detained pending trial; Order to be issued.

_____ DEFENSE ATTORNEY:

_____ Waives Detention Hearing, reserves rights to reapply

_____ Requests adjournment of Detention Hearing

_____ Waives Preliminary Hearing

_____ Requests adjournment of Preliminary Hearing

X DEFT. RELEASED _____ DEFT. RELEASED ON CONDITIONS PREVIOUSLY SET

_____ DEFT. REMANDED to custody of the U.S. MARSHAL. Select one of the following ONLY after Defendants 1st appearance:

_____ LC _____ LO (State, Local, Immigration/Naturalization Service or other Federal Authorities)

_____ Until bail is posted _____ I.N.S. Detainer pending

_____ OTHER:

(Rev/rzh 09/04)